

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

GAINES PHOTOGRAPHY, LLC,

Plaintiff,

v.

BABE RUTH LEAGUE, INC, ET AL.,

Defendants.

Case No. 6:18-cv-03357-MDH

ORDER

Pursuant to the hearing held on October 19, 2020, the Court reviewed the depositions of Hamilton Chang and Steven Tellefson and finds as follows:

With respect to the deposition of Mr. Chang, the Court finds that the blame for any inefficiencies or delays in the deposition is shared by both the questioner and the witness and that those inefficiencies or delays are not atypical. The Court identifies no obvious delaying tactics on the part of the witness. However, the parties had agreed that seven (7) hours would be allowed for the deposition, and it is the Court's understanding that due to the schedule of the court reporter only five-and-a-half (5.5) hours of questioning took place. The Court hereby **ORDERS** that witness Mr. Chang be made available for questioning for another one and one half (1.5) hours of questioning. The Court urges counsel to focus questions on material issues. Any request for assessment of costs associated with the completion of the deposition will be considered upon an appropriate motion.

With respect to the deposition of Mr. Tellefson, the Plaintiff is instructed to specifically identify any question in the deposition to which the witness refused to answer on advice of counsel on which Plaintiff wishes the Court to rule. Such an identification should include a brief statement

of how the question was material and whether it was within the topics included in the notice or was beyond them. Upon any such filing, opposing counsel should file any response within 10 business days.

IT IS SO ORDERED.

Dated: October 23, 2020

/s/ Douglas Harpool
DOUGLAS HARPOOL
United States District Judge